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SENATE JOURNAL.

Twenty-Ninth Legislature—First Session.

AUSTIN, TEXAS, JANUARY 10, 1905.

FIRST DAY.

Senate Chamber,
Austin, Tex., Tuesday, Jan. 10, 1905.

In accordance with the laws of the state of Texas, the Senate of the Twenty-ninth Legislature met in the Senate Chamber in the Capitol in the city of Austin at 12 m., January 10, 1905, and was called to order by Lieutenant Governor George D. Neal.

The chair then announced the appointment of the following temporary officers: Clyde D. Smith, of Wichita county, Secretary; Clem H. Allen, of Travis county, Sergeant-at-Arms, and R. M. Gilmore, of Van Zandt county, Journal Clerk.

Prayer by Rev. Dr. Sampson of Austin.

The chair instructed the Secretary to call the roll of the hold over Senators, the following answering to their names:

J. T. Beaty, of Jasper county, representing District No. 14, composed of the counties of Nacogdoches, San Augustine, Sabine, Newton, Jasper, Tyler, Liberty, Hardin, Orange and Jefferson.

Charles L. Brachfield, of Rusk county, representing District No. 8, composed of the counties of Harrison, Rusk, Panola, Shelby and Gregg.

A. B. Davidson, of DeWitt county, representing District No. 22, composed of the counties of Jackson, Calhoun, Victoria, DeWitt, Goliad, Refugio, Bee, Live Oak, Karnes, Wilson, Frio, Aransas and Atascosa.

D. E. Decker, of Hardeman county, representing District No. 29, composed of the counties of Jack, Young, Throckmorton, Clay, Archer, Wichita, Wilbarger, Baylor, Knox, Foard, Hardeman, King, Dickens, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Lubbock, Hockley, Cochran, Crosby, Childress, Hall, Briscoe, Swisher, Castro, Parmer, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Wheeler, Gray, Carson, Potter, Oldham, Hartley, Moore, Hutchinson, Roberts, Hemphill, Lipscomb, Ochiltree, Hansford, Sherman and Dallam.

J. J. Faulk, of Henderson county, representing District No. 9, composed of the counties of Navarro, Henderson and Kaufman.

J. M. Hale, of Burleson county, representing District No. 19, composed of

the counties of Washington, Burleson, Lee and Bastrop.

W. A. Hanger, of Tarrant county, representing District No. 30, composed of the counties of Tarrant, Parker, Hood and Somervell.

Marshall Hicks, of Bexar county, representing District No. 24, composed of the counties of Bexar, Bandera, Kendall, Kerr and Gillespie.

J. W. Hill, of Tom Green county, representing District No. 25, composed of the counties of Kimble, Menard, Schleicher, Sutton, Tom Green, Coke, Sterling, Irion, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Val Verde, Edwards, Kinney, Uvalde, Medina, Zavala, Reeves, Maverick and Mason.

R. W. Martin, of Coryell county, representing District No. 27, composed of the counties of Bell, Coryell, Hamilton and Bosque.

W. C. McKamy, of Dallas county, representing District No. 6, composed of the counties of Dallas and Rockwall.

D. A. Paulus, of Lavaca county, representing District No. 18, composed of the counties of Colorado, Lavaca, Fayette and Austin.

R. N. Stafford, of Wood county, representing District No. 7, composed of the counties of Wood, Smith, Upshur, Van Zandt and Camp.

John G. Willacy, of San Patricio county, representing District No. 23, composed of the counties of Cameron, Hidalgo, Starr, Zapata, Webb, Duval, Nueces, McMullen, San Patricio, Dimmit, La Salle.

The roll of the Senators-elect was then called, the following answering to their names:

A. P. Barrett, of Fannin county, representing District No. 3, composed of the counties of Fannin and Lamar.

C. M. Chambers, of Red River county, representing District No. 2, composed of the counties of Red River, Titus, Franklin, Hopkins and Delta.

Joseph Faust, of Comal county, representing District No. 21, composed of the counties of Gonzales, Caldwell, Guadalupe, Comal, Hays and Blanco.

G. W. Glasscock, of Williamson county, representing District No. 20, composed of the counties of Williamson, Travis, Burnet and Lampasas.

George B. Griggs, of Harris county, representing District No. 16, composed of the counties of Harris, Fort Bend and Waller.

Arch Grinnan, of Brown county, representing District No. 26, composed of the counties of Erath, Comanche, Mills, Sen Saba, McCulloch, Concho, Runnels, Coleman, Brown and Llano.

J. L. Harbison, of Grayson county, representing District No. 4, composed of the counties of Grayson and Cooke.

A. J. Harper, of Limestone county, representing District No. 12, composed of the counties of Limestone, Free-stone, Robertson and Brazos.

A. S. Hawkins, of Taylor county, representing District No. 28, composed of the counties of Palo Pinto, Stephens, Eastland, Callahan, Taylor, Nolan, Mitchell, Howard, Martin, Andrews, Glasscock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Gaines, Yoakum, Terry, Lynn, Dawson, Borden Garza, Kent, Scurry, Fisher, Stonewall, Haskell, Jones and Shackelford.

W. M. Holland, of Matagorda county, representing District No. 17, composed of the counties of Chambers, Galveston, Brazoria, Matagorda and Wharton.

B. F. Looney, of Hunt county, representing District No. 5, composed of the counties of Collin, Hunt and Rains.

McDonald Meachum, of Grimes county, representing District No. 15, composed of the counties of Leon, Madison, Grimes, Montgomery, Walker, San Jacinto and Polk.

S. P. Skinner, of Ellis county, representing District No. 10, composed of the counties of Ellis, Johnson and Hill.

Emory C. Smith, of Denton county, representing District No. 31, composed of the counties of Denton, Wise and Montague.

C. C. Stokes, of Houston county, representing District No. 13, composed of the counties of Anderson, Cherokee, Houston, Angelina and Trinity.

Tom P. Stone, of McLennan county, representing District No. 11, composed of the counties of McLennan, Falls and Milam.

J. M. Terrell, of Morris county, representing District No. 1, composed of the counties of Bowie, Cass, Marion and Morris.

The Senators-elect appearing en masse before the Secretary's stand, were administered the oath of office by the President.

PRESIDENT PRO TEM. ELECTED.

The chair announced the next order of business was the election of a President Pro Tem, whereupon Senator Davidson placed Senator W. A. Hanger of Tarrant county in nomination.

Senator McKamy of Dallas seconded the nomination.

The chair appointed Senators Hale, Griggs and Stone as tellers.

Senator Hanger was unanimously

elected, and the chair appointed Senators Davidson, Decker and Willacy to escort him to the President's stand.

Senator Hanger in a short but pleasant manner thanked the Senate for the honor.

SIMPLE RESOLUTION.

Senator Decker offered the following resolution:

Resolved, That the officers and employes hereafter designated are essential to the proper service of the Senate and shall be appointed and elected and receive compensation as hereinafter provided, and shall continue until discharged by the same authority which elects or appoints them to the respective offices or employments to which they shall be elected or appointed.

Second—That the Senate shall by ballot elect the following officers: Secretary, Assistant Secretary, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Journal Clerk, Assistant Journal Clerk, Calendar Clerk, Assistant Calendar Clerk, Enrolling Clerk, Assistant Enrolling Clerk, Engrossing Clerk, Assistant Engrossing Clerk, Doorkeeper, Assistant Doorkeeper, Chaplain, Assistant Postmaster, one general clerk for the Finance Committee, one Notarial Clerk, whose duty it shall be to keep a true and correct list of the notarial appointments suggested by the members of the House and Senate and to attend to the correspondence concerning the same and to perform all necessary duties to secure correct lists of all notarial appointments by the Governor; five general committee clerks and six stenographers. Said committee clerks shall serve the various committees to which they may be assigned by the Lieutenant Governor, prepare all necessary reports of said committees and such other and further duties as shall be assigned them, and said stenographers shall perform all necessary stenographic work for all of the members of the Senate and such other duties as may be assigned to them. Each of such officers and employes shall receive as compensation for their services the sum of \$5 per day.

Third—The President of the Senate shall appoint the following officers and employes of the Senate, namely: A Postmaster, who shall receive the sum of \$5 per day; a private secretary and two general committee clerks, each of whom shall receive \$5 per day; five pages, who shall receive \$2 per day, and eight porters, who shall receive \$2 per day.

Fourth—In presenting the names of the candidates for the various places

to be filled by election the Senator presenting a candidate shall write the name and residence of the candidate, together with his own name, on a slip of paper and send the name to the Secretary to be read, and nominating and seconding speeches shall be and are dispensed with.

Fifth—That the senate do now proceed to elect by ballot the officers which by this resolution it is required to elect.

Senator Smith offered the following substitute to the above resolution:

Resolved, that in the organization of the Senate and for the necessary service thereof, the following officers and employes be selected in the manner and order following:

(1) The Senate, by ballot, shall elect the following officers and employes.

Secretary, Assistant Secretary, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Journal Clerk, Assistant Journal Clerk, Calendar Clerk, Engrossing Clerk, Doorkeeper, Chaplain, and six Committee Clerks to be assigned by the President of the Senate, the three of which receiving the highest vote shall serve for the entire session, and the remaining three shall serve for ninety days, unless sooner discharged.

(2) The President of the Senate shall appoint a Postmaster, a Private Secretary and five pages, one of whom shall be for his own use, and four for the use of the Senate, four porters (one of whom shall be designated by the President of the Senate to carry mail to and from the Postoffice.)

(3) The Sergeant-at-Arms shall keep an itemized account of all monies expended by him, showing to whom paid and for what purpose expended.

(4) That all of said officers, except pages and porters, shall receive \$5.00 per day for their said services, and the porters and pages shall receive \$2.00 per day.

(5) Any of said officers and employes may be discharged at any time by the same authority selecting the same.

(6) The persons elected Committee Clerks, when not otherwise engaged, shall, when requested so to do by the Chairman of the Committee on Enrolled Bills or Committee on Engrossed Bills, assist the Enrolling Clerk and the Engrossing Clerk.

SMITH.
HARPER.

Senator Hanger moved to table the substitute resolution. Yeas and nays were called for and the substitute was tabled by the following vote.

Yeas—22.

Barrett, A. P.	Hill, J. W.
Beaty, J. T.	Holland, W. M.

Brachfield, C. L.	Martin, R. W.
Chambers, C. M.	McKamy, W. C.
Davidson, A. B.	Meachum,
Decker, D. E.	McDonald.
Faulk, J. J.	Paulus, D. A.
Faust, Joseph.	Stafford, R. N.
Griggs, Geo. B.	Stone, T. P.
Hale, J. M.	Terrell, J. M.
Hanger, W. A.	Willacy, J. G.
Hicks, Marshall.	

Nays—9.

Glasscock, G. W.	Looney, B. F.
Grinnan, Arch	Skinner, S. P.
Harbison, J. L.	Smith, E. C.
Harper, A. J.	Stokes, C. C.
Hawkins, A. S.	

Action then recurring on the original resolution, the same was adopted.

THE ELECTION OF OFFICERS.

The chair then announced that the election of officers, in accordance with the above resolution, was then in order.

Nominations for Secretary being in order, Clyde D. Smith of Wichita county was nominated for the place by Senator Decker of Hardeman county.

There being no other nominations, the Chair announced that the nominations were closed.

The Chair appointed Senators Chambers, Holland and Meachum as tellers.

Mr. Smith received 29 votes, which was all the votes cast, and was declared duly and constitutionally elected, and immediately took the oath of office.

Nominations for Assistant Secretary being in order, Senator Brachfield placed W. E. DeLamar of Rusk county in nomination.

There were no other nominations. Mr. DeLamar received 30 votes, and was, therefore, declared by the Chair duly and constitutionally elected.

Nominations for Sergeant-at-Arms then being in order, the following were placed in nomination:

C. H. Allen of Travis county, by Senator Davidson.

R. M. Moody of Robinson county, by Senator Harper.

Result of the ballot was as follows:

Mr. Allen received 25 votes; Mr. Moody received 6 votes.

Mr. Allen receiving a majority of the votes, he was declared duly and constitutionally elected.

Mr. Allen and Mr. DeLamar, Assistant Secretary-elect, were then administered the oath of office.

Nominations for Assistant Sergeant-at-Arms being in order, Senator Harper placed D. F. Hughes of Limestone county in nomination.

Nominations were then closed. Mr. Hughes received 30 votes, and was declared duly and constitutionally elected.

(President pro tem Hanger in chair.)
Nominations for Journal Clerk being in order, Senator Stafford placed R. M. Gilmore of Van Zandt county in nomination. There were no other nominations. Mr. Gilmore received 29 votes and was declared duly and constitutionally elected.

Nominations for Assistant Journal Clerk being in order, Senator McKamy placed R. B. Scott of Dallas county in nomination. No other nominations.

Mr. Scott received 30 votes, and was declared duly and constitutionally elected.

Nominations for Calendar Clerk. Senator Terrell nominated W. Z. Hayes of Bowie county. No other nominations.

Mr. Hayes received 30 votes, and was declared duly and constitutionally elected.

For Assistant Calendar Clerk, Senator Faulk nominated Elam Henderson of Henderson county. No other nominations.

Mr. Henderson received 27 votes, and was declared duly and constitutionally elected.

For Enrolling Clerk, Senator Skinner nominated Eldred McKinnon of Hill county. No other nominations.

Mr. McKinnon received 30 votes, and was declared duly and constitutionally elected.

For Assistant Enrolling Clerk, Senator Hale nominated Miss Blanche Heslep of Burleson. No other nominations.

Miss Heslep received 30 votes, and was declared duly and constitutionally elected.

For Engrossing Clerk, Senator Martin nominated F. P. Smith. No other nominations.

Mr. Smith received 28 votes, and was declared duly and constitutionally elected.

For Assistant Engrossing Clerk, Senator Hill nominated L. Rankin of Travis county. No other nominations.

Mr. Rankin received 28 votes, and was declared duly and constitutionally elected.

For Doorkeeper, Senator Hill nominated Frank Mullens of Tarrant county. No other nominations.

Mr. Mullens received 28 votes, and was declared duly and constitutionally elected.

For Assistant Doorkeeper, Senator Meachum nominated C. J. Kirk of Grimes county. No other nominations.

Mr. Kirk received 28 votes, and was declared duly and constitutionally elected.

For Chaplain, Senators Glasscock and Holland nominated Rev. H. M. Sears of Travis county. No other nominations.

Rev. Sears received 29 votes, and was declared duly and constitutionally elected.

For Assistant Postmaster, Senator Decker nominated Tom McClure of Wise county. No other nominations.

Mr. McClure received 27 votes, and was declared duly and constitutionally elected.

J. C. Son received one vote, though his name was not placed before the Senate.

(Lieutenant Governor Neal in chair.)

OATH OF OFFICE ADMINISTERED.

The chair then administered the oath of office to the officers-elect as follows: D. F. Hughes, Assistant Sergeant-at-Arms; R. M. Gilmore, Journal Clerk; R. B. Scott, Assistant Journal Clerk; W. Z. Hayes, Calendar Clerk; Elam Henderson, Assistant Calendar Clerk; Eldred McKinnon, Enrolling Clerk; Miss Blanche Heslep, Assistant Enrolling Clerk; F. P. Smith, Engrossing Clerk; L. Rankin, Assistant Enrolling Clerk; Frank Mullens, Doorkeeper; C. J. Kirk, Assistant Doorkeeper; Tom McClure, Assistant Postmaster.

Clerk of Finance Committee: Senator Smith nominated George W. Savage of Denton county. No other nominations.

Mr. Savage received 28 votes and was declared elected.

For Notarial Clerk: Senator Beaty nominated Lucian Goss of Baylor county. No other nominations.

Mr. Goss received 29 votes and was declared elected.

COMMITTEE CLERKS.

The following committee clerks were nominated:

Senator Paulus nominated C. T. Hancock of Colorado county.

Senator Stafford nominated Mrs. Laura Grinnan of Smith county.

Senator Stokes nominated V. V. Daniels of Angelina county.

Senator Davidson nominated T. D. Cobbs, Jr., of Bexar county.

Senator Barrett nominated Chas. Bridge of Fannin county.

All the above named nominees received, as a whole, about 22 votes each, and were, therefore, declared elected.

STENOGRAPHERS ELECTED.

In accordance with the resolutions previously adopted, the following stenographers were elected:

Senator Griggs nominated Miss

Grace Hannon of Harris county, who received 21 votes.

Senator Stone nominated Miss Fay Boiger of McLennan county, who received 21 votes.

Senator Faust nominated Mrs. H. H. Hawkins of Comal county, who received 22 votes.

Senator Beaty nominated Miss Annie Donnelly, who received 21 votes.

Senator Holland nominated J. D. Lyons of Harris county, who received 21 votes.

Senator Willacy nominated Miss Mary McNair of Travis county, who received 21 votes.

Miss Griffin received 1 vote, though her name was not placed before the senate.

LIEUTENANT GOVERNOR'S APPOINTMENTS.

Lieutenant Governor Neal made the following appointments of committee clerks:

Postmaster: Miss Mae Fant Odom. W. A. Shaw, Jr., of Dallas county, general committee clerk.

Harry M. Johnston of Harris county, general committee clerk.

Miss L. Stanley, private secretary to Lieutenant Governor.

SIMPLE RESOLUTIONS.

Senator Hanger offered the following simple resolution:

Resolved, That the rules of the Twenty-eighth Senate be adopted and be in force until changed by the Senate.

The resolution was adopted.

Senator Hicks offered the following resolution:

Resolved, That the Senate do now proceed to select seats for the session, selections to be made as follows:

The secretary shall place the name of all Senators on separate pieces of paper, mix them up well, and draw them therefrom one at a time, and as the names are drawn the respective Senators shall select their seats; before the drawing begins the Senators shall retire behind the bar.

The resolution was adopted, and in accordance with same the Senate proceeded to select seats for the term.

ADJOURNMENT.

On motion of Senator Glasscock, the Senate, at about 3:10 o'clock p. m., adjourned till tomorrow morning at 10 o'clock a. m.

SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, Jan. 11, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Neal in the chair.

Roll call, quorum present, the following senators answering to their names:

Barrett	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Davidson.	Martin.
Decker.	McKamy.
Faulk.	Paulus.
Faust.	Skinner.
Glasscock.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Griggs.	Meachum.
Grinnan.	

Prayer by Chaplain, Rev. H. M. Sears.

Pending the reading of the journal of yesterday.

On motion of Senator Glasscock the same was dispensed with.

MEMBERS EXCUSED.

On motion of Senator Martin, Senator Meachum was excused from attendance upon the Senate today on account of sickness.

On motion of Senator Harper, Senator Grinnan was excused from attendance upon the Senate for an indefinite time on account of sickness.

STANDING COMMITTEES APPOINTED.

The Chair gave out the appointment of the standing committees as follows:

Judiciary No. 1—Hicks, chairman; Decker, Brachfield, Skinner, Stafford, Grinnan, Faulk, Griggs, Meachum, Hill, Stone.

Judiciary No. 2—Davidson, chairman; Smith, Hanger, Looney, Holland, Harper, Paulus, Stokes, Hale, McKamy, Beaty.

Internal Improvements—McKamy, chairman; Decker, Hill, Skinner, Chambers, Stafford, Willacy, Hanger, Davidson, Hicks, Meachum, Martin.

Finance Committee—Willacy, chairman; Faust, Martin, Terrell, Hill, Barrett, Smith, Glasscock, Harper, Harbison, Paulus, Faulk.